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SENATE

REPORT
102-89

TO AUTHORIZE THE SECRETARY OF THE INTERIOR TO ACCEPT A DONATION OF LAND FOR ADDITION TO THE OCMULGEE NATIONAL MONUMENT IN THE STATE OF GEORGIA

JUNE 21, (legislative day, JUNE 11), 1991.—Ordered to be printed

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Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 749]

The Committee on Energy and Natural Resources, to which was referred the act (H.R. 749) to authorize the Secretary of the Interior to accept a donation of land for addition to the Ocmulgee National Monument in the State of Georgia, having considered the same, reports favorably thereon without amendment and recommends that the act do pass.

PURPOSE OF THE MEASURE

The purpose of H.R. 749, as ordered reported, is to authorize the Secretary of the Interior to accept a donation of the 18.6 acre "Drake Field" parcel for addition to the Ocmulgee National Monument in Macon, Georgia.

BACKGROUND AND NEED

Ocmulgee National Monument was authorized by Congress in 1934 and established by Presidential Proclamation in 1936. The monument is located in Macon, Georgia, and currently comprises approximately 683 acres.

The monument contains artifacts from several early North American cultures, from nomadic hunters of the Paleo-Indian period to a historic Creek Indian Village. The monument also contains remnants of earthlodges and temple mounds of the Early Mississippians, a people who lived in the area between 900 and 1000, A.D. At one time over a thousand people lived at Ocmulgee, planting crops and building a series of earthen mounds for religious, political and ceremonial purposes.

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Drake Field is an 18.6 acre parcel situated adjacent to the western boundary of the monument. The property is adjacent to the "Funeral Mound" located within the monument, a burial site for village leaders where over 100 burials have been uncovered.

The field was acquired by the city of Macon in 1971. The parcel was used by the city for recreational purposes until 1982, when a new city park was opened and Drake Field was closed for public use. The city is now willing to donate the site to the Federal Government. The National Park Service noted in its 1987 general management plan for the monument that placing Drake Field under the jurisdiction of the Park Service would be desirable in order to better ensure the protection of the site's archeological resources.

LEGISLATIVE HISTORY

H.R. 749 passed the House of Representatives by a voice vote on April 24, 1991. Senator Fowler introduced identical legislation in the Senate, S. 638, on March 13, 1991. The Subcommittee on Public Lands, National Parks and Forests held a hearing on H.R. 749 and S. 638 on May 21, 1991.

At the business meeting on June 12, 1991, the Senate Committee on Energy and Natural Resources ordered H.R. 749 favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on June 12, 1991, by a unanimous vote of a quorum present, recommends that the Senate pass H.R. 749 as described herein.

The roll call vote on reporting the measure was 20 yeas, 0 nays, as follows:

YEAS	NAYS
Mr. Johnston	
Mr. Bumpers	
Mr. Ford	
Mr. Bradley	
Mr. Bingaman	
Mr. Wirth	
Mr. Conrad*	
Mr. Akaka	
Mr. Fowler*	
Mr. Shelby	
Mr. Wellstone*	
Mr. Wallop	
Mr. Hatfield	
Mr. Domenici*	
Mr. Murkowski*	
Mr. Nickles	
Mr. Burns	
Mr. Craig	
Mr. Seymour*	
Mr. Garn*	

*Indicates voted by proxy.

SECTION-BY-SECTION ANALYSIS

Section 1(a) authorizes the Secretary of the Interior to accept the donation of all right, title, and interest in and to the land described in section 2, from the owners of such land.

Subsection (b) provides that the land acquired pursuant to this Act shall be added to, and administered as part of the Ocmulgee National Monument in Macon, Georgia.

Section 2 defines the land to be added to the monument as the 18.6 acre parcel known as Drake Field which is located adjacent to the western boundary of the monument.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 14, 1991.

Hon. J. BENNETT JOHNSTON, Jr.,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 749, an act to authorize the Secretary of the Interior to accept a donation of land for addition to the Ocmulgee National Monument in the State of Georgia, as ordered reported by the Senate Committee on Energy and Natural Resources on June 12, 1991. Because this land is to be donated to the Federal Government and maintained as open space, one-time costs to implement the act would be less than $200,000. Nearly all of this amount would be spent in fiscal year 1992, assuming appropriation of the necessary sums. Annual operating and maintenance costs would not be significant. This legislation would not affect direct spending or receipts, and thus would not involve pay-as-you-go scoring.

H.R. 749 would authorize the National Park Service (NPS) to accept the donation of the Drake's Field site from the city of Macon. The 19-acre parcel is adjacent to the Ocmulgee National Monument, and would become part of the monument area. After the land is transferred, the NPS would incur minor site preparation costs to demolish existing structures and install fences. CBO estimates that such one-time costs would be less than $200,000. Annual costs for the additional acreage would not add significantly to the monument's current operating budget.

Enactment of this legislation would not have any impact on the budgets of state or local governments.

On April 15, 1991, CBO prepared a cost estimate of H.R. 749 as ordered reported by the House Committee on Interior and Insular Affairs on April 10, 1991. The two estimates are identical.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

ROBERT F. HALE
(For Robert D. Reischauer, Director).

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 749. The Act is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the problem. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 749, as ordered reported.

EXECUTIVE COMMUNICATIONS

On May 7, 1991, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth executive views on H.R. 749. These reports had not been received at the time the report on H.R. 749 was filed. When the reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the National Park Service at the Subcommittee hearing follows:

STATEMENT OF JERRY L. ROGERS, ASSOCIATE DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. Chairman, I appreciate the opportunity to provide your Subcommittee with the Interior Department's views on S. 638, a bill to authorize the Secretary of the Interior to accept a donation of land for addition to the Ocmulgee National Monument in the State of Georgia. H.R. 749, a similar bill, passed the House on April 24, 1991. We recommend that either bill be enacted.

The Ocmulgee National Monument is a unique concentration of archeological and architectural resources that document almost 10,000 years of human occupation in the southeastern United States. The archeological remains at the Monument include a variety of artifacts, earth mounds, and Indian villages ranging from about 250 to 10,000 years in age. The most spectacular archeological features for which the Monument is known are the mounds and earth lodge built by people who lived there during the period AD 900 to 1100.

Mr. Chairman, the Monument was authorized by Congress in 1934 and established by Presidential Proclamation in 1936. A subsequent Presidential Proclamation in 1941 enlarged the Monument by five acres. It now comprises 683.48 acres, including 45 acres in a detached portion known as the Lamar Unit. H.R. 749 would authorize expansion of the Monument to include an adjacent 18.6 acre parcel known as "Drake's Field," to be donated by the City of Macon.

I would point out here, Mr. Chairman, that the Park Service recognized in the 1930's that the Drake's Field parcel would be a desirable element to include in the Monument. But the owner had other plans for the property and was unwilling to sell. The parcel's archeological significance was further documented in a 1971 inventory of the area's archeological sites. At that time, artifacts collected at the surface of the Drake's Field site suggested extensive occupation during the Historic Creek period and also occupation during the Early Mississippi Period, both of which are primary Monument themes. The 1971 report concluded that it was obvious the Drake's Field parcel had at one time been part of an Indian village that surrounded a nearby funeral mound already included in the Monument. It is our belief that still-buried cultural resources could be preserved if Drake's Field is brought into the Monument.

Mr. Chairman, the Drake's Field parcel came into public ownership in 1971 when the City of Macon acquired it, in part with Land and Water Conservation Fund assistance, for use as a recreational park. The parcel was actively used by the City for recreational purposes until it became apparent that intensive use and development could not take place at the site without causing irreparable harm to archeological resources. In 1982 the City opened a new park at another location, incorporating the recreational users that had been intended for Drake's Field. Since then, Drake's Field has been used for informal recreational purposes.

Although the City's Public Works Department continues to mow and clean Drake's Field on a regular basis, it cannot devote the level of attention that is warranted. Indeed, unauthorized artifat collection now takes place at Drake's Field. The Park Service noted in a 1987 GMP Task Directive and in Ocmulgee's most recent Statement for Management that steps needed to be taken to better ensure the protection of the site's archeological resources. Placing the site under the jurisdiction of the National Park Service would be consistent with those recommendations.

The City of Macon has also recognized that the preservation of Drake's Field is integral to the preservation of Ocmulgee National Monument. It is for this reason the Macon City Council in 1990 passed a resolution authorizing the transfer of Drake's Field to the National Park Service to be included in Ocmulgee National Monument. I would add that the State's agency having jurisdiction over parks and historic sites has concurred in the City's proposal to transfer the land to the National Park Service.

In summary, Mr. Chairman, we believe that Drake's Field would make a logical and desirable addition to the Ocmulgee National Monument, and urge that the bill be favorably acted upon.

This concludes my prepared statement. I would be pleased to try to answer any questions you might have.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of Rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the act H.R. 749, as ordered reported.

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